

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CHAD ERIC JOHNSON, IDOC # B32088,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 10-891-GPM
)	
RALPH JOHNNIE, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

MURPHY, District Judge:

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Donald G. Wilkerson (Doc. 44). Defendants Ralph Johnnie and Diana Jansen have moved for summary judgment on the claims of Plaintiff Chad Eric Johnson, a prisoner currently on parole from the custody of the Illinois Department of Corrections who brings this action pursuant to 42 U.S.C. § 1983 for alleged violations of his constitutional rights by persons acting under color of state law, for failure to exhaust administrative remedies as required under 42 U.S.C. § 1997e(a). *See* Doc. 23. In the Report and Recommendation, Magistrate Judge Wilkerson recommends that the motion for summary judgment be denied. The Report and Recommendation was entered on December 14, 2011. Objections to the Report and Recommendation by Johnnie and Jansen were due January 3, 2012; to date, no objections have been filed. Where timely objections are filed, this Court must undertake a de novo review of the Report and Recommendation. *See* 28 U.S.C. § 636(b)(1)(B), (b)(1)(C); Fed. R. Civ. P. 72(b); SDIL-LR 73.1(b); *Harper v. City of Chicago Heights*, 824 F. Supp. 786, 788 (N.D. Ill. 1993). *See also Govas v. Chalmers*, 965 F.2d 298, 301

(7th Cir. 1992). The Court “may accept, reject or modify the magistrate judge’s recommended decision.” *Harper*, 824 F. Supp. at 788. In making this determination, the Court must look at all of the evidence contained in the record and “give fresh consideration to those issues to which specific objections have been made.” *Id.* (quotation omitted). However, where neither timely nor specific objections to the Report and Recommendation are made, pursuant to 28 U.S.C. § 636(b), this Court need not conduct a de novo review of the Report and Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). Accordingly, the Court **ADOPTS** Magistrate Judge Wilkerson’s Report and Recommendation (Doc. 44), and **DENIES** the summary judgment motion of Johnnie and Jansen (Doc. 23).¹

IT IS SO ORDERED.

DATED: January 12, 2012

/s/ G. Patrick Murphy
G. PATRICK MURPHY
United States District Judge

1. While, as discussed, a de novo review of the Report and Recommendation in this case is not required, the Court fully agrees with the findings, analysis, and conclusions of Magistrate Judge Wilkerson.